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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,945	01/19/2000	Steve Ames	082771.P118C	5142
<div>7590      01/29/2007</div> <div>Blakely Sokoloff Taylor &amp; Zafman LLP 12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025</div>				
			EXAMINER POLLACK, MELVIN H	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 01/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

*Supplemental*  
**Notice of Allowability**

Application No.

09/488,945

Examiner

Melvin H. Pollack

Applicant(s)

AMES ET AL.

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 8/8/05.
2. ☒ The allowed claim(s) is/are 18,20-26,28,29,37,44-51,53-58 and 71-75.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/3/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other see attached office action.

MHP

*JASON CARDONE*  
585 AU2145

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William W. Schaal on 11/3/05.

The application has been amended as follows:

Cross-Reference to Related Applications: This application is a continuation of Application No. 08/569,580, which was filed on December 8, 1995, now U.S. Patent 6,058,429.

Claims 60-66: Cancelled.

### ***Allowable Subject Matter***

2. Claims 18, 20-26, 28, 29, 37, 44-51, 53-58 and 71-75 are allowed.
3. The following is an examiner's statement of reasons for allowance: the examiner agrees with the applicant in regards to the novelty and non-obviousness of the combination of limitations as currently drawn.
4. For claim 18, the invention is drawn to a mechanism, such as a modified layer-2 switch, that performs routing without use of a routing function. Of the art that teaches on this embodiment, most do so for the purpose of replacing the router with a cheaper switch and thus

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teach away from a direct, physical connection between the switch and a router with no interceding devices. The invention requires this direct connection primarily because of its unique functionality, in which the router populates a data structure with L2-L3 associations, such that the switch may interpret L3 addresses and determine how to send the packet to the destination device. In other words, the switch performs the routing function in a method different from the routing method. If an L3 address cannot be understood by the switch, the router acts as a backup and further teaches the switch the new L2-L3 association. The examiner has determined that this method and system of handling L3 addresses – without routing - is novel and non-obvious.

5. Claim 24 is allowable for the reasons above. Claim 24 also adds the limitation of coupling at least three Virtual LANs. As the art on VLANs teach away from the L3 address handling techniques described above, this combination is further novel and non-obvious.

6. All remaining independent claims are allowable for the reasons above.

7. All dependent claims are dependent on an allowable claim, and thus inherit the allowability.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. It concerns further background on the invention at hand.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H. Pollack whose telephone number is (571) 272-3887.


The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP

04 November 2005

  
JASON CARDONE  
SPE AU2145